



Sen. Martin A. Sandoval

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LRB096 17504 RLJ 37537 a

1 AMENDMENT TO SENATE BILL 2571

2 AMENDMENT NO. _____. Amend Senate Bill 2571 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 High-Speed Rail Authority Act.

6 Section 5. Creation. The High-Speed Rail Authority is
7 created as an Illinois political subdivision, municipal
8 corporation, and unit of local government.

9 Section 10. Board; compensation. The Authority shall be
10 governed by a 9-member board of directors consisting of members
11 appointed by the Governor, with the advice and consent of the
12 Senate, as follows: one member from the Metro East region, one
13 member from the central Illinois region, one member from the
14 northern Illinois region outside of the collar counties (Lake,
15 McHenry, DuPage, Kane, and Will counties), 2 members from the

1 collar counties, 2 members from suburban Cook County (outside
2 of the City of Chicago), and 2 members from the City of
3 Chicago. Each member must have experience in at least one of
4 the following areas (i) the management of large infrastructure
5 projects, (ii) finance, or (iii) the transportation industry.
6 At least 3 of the members must have technical qualifications,
7 professional standing, and demonstrated knowledge in railroad
8 transportation. The Board members shall serve without
9 compensation, but may be reimbursed for actual expenses
10 incurred by them in the performance of their duties.

11 Section 15. Terms, vacancies, and removal.

12 (a) Of the initial directors, 5 shall be appointed for a
13 2-year term and 4 shall be appointed for a 4-year term.
14 Thereafter, directors shall serve for a 4-year term. Directors
15 shall hold office until their respective successors have been
16 appointed and qualified.

17 (b) A vacancy in office shall occur upon a director's
18 resignation, death, or disqualification under the laws of this
19 State or the laws of the United States. A vacancy shall be
20 filled by the Governor for the remainder of the term.

21 Section 20. Meetings; quorum.

22 (a) As soon as practical after the effective date of this
23 Act, the Board shall organize for the transaction of business.
24 The Board may organize and conduct business when a majority of

1 the members have been appointed. The Board shall prescribe the
2 time and place for meetings, the manner in which special
3 meetings may be called, the notice that must be given to
4 directors of any meeting of the Board, and the notice that must
5 be given to the public of meetings of the Board. The Board
6 shall promulgate the by-laws of the Authority. Five directors
7 constitute a quorum for the transaction of business.

8 (b) All substantive action of the Board shall be by
9 resolution. The concurrence of at least 5 directors is
10 necessary for the adoption of any resolution. No action may be
11 taken by the Board until at least a majority of the directors
12 have been appointed and qualified.

13 Section 25. Chairperson; officers. A chairperson shall be
14 selected from the Board members by a majority vote of the Board
15 members. The chairperson shall preside at the meetings of the
16 Board and shall be entitled to vote on all matters. The Board
17 shall select a vice-chairperson (who shall preside in the
18 chairperson's absence), and may provide for other officers of
19 the Authority as deemed to be necessary. Except as otherwise
20 provided in this Section, officers of the Authority may, but
21 need not, be directors.

22 Section 27. Conflict of interest. No member of the Board or
23 employee of the Authority may have a private financial interest
24 in or profit from any contract, work, or business of the

1 Authority.

2 Section 30. Executive director. The Board must appoint an
3 executive director to serve as the chief administrative officer
4 of the Authority. The executive director must be a licensed
5 engineer with experience managing large infrastructure
6 projects, preferably high-speed rail projects.

7 Section 35. Powers of the Authority. The Authority has the
8 power:

9 (1) to sue and be sued;

10 (2) to plan, design, build, operate, maintain, and finance
11 new electrified track, designed primarily for trains capable of
12 traveling at speeds in excess of 150 miles per hour, for a
13 high-speed rail network;

14 (3) to enter into public-private partnerships with global
15 high-speed rail operators to design, build, operate, maintain,
16 and finance a high-speed rail network; and

17 (4) to enter into intergovernmental agreements with the
18 State, any other state, the United States government, any
19 agency or instrumentality of the United States, any unit of
20 local government located within the territory of the Authority,
21 or any other unit of government to the extent allowed by
22 Section 10 of Article VII of the Illinois Constitution and the
23 Intergovernmental Cooperation Act for the following purposes:

24 (i) to build tracks to connect to the State's high-speed rail

1 network, (ii) to enter into public-private partnerships to
2 design, build, operate, maintain, and finance extensions of the
3 high-speed rail network outside of the State, (iii) to develop
4 plans and to engage in ridership or revenue analysis for
5 extensions outside of the State, or (iv) for any other purpose
6 that advances the creation of a high-speed rail network that
7 serves Illinois residents.

8 Section 40. Duties of the Authority. The Authority must
9 perform the following functions:

10 (1) develop a high-speed rail system that includes O'Hare
11 Airport;

12 (2) develop a 5-year, 10-year, and 20-year plan for
13 developing a high-speed rail network;

14 (3) comply with all State and federal laws concerning labor
15 and rail safety;

16 (4) seek the advice and consultation of potential private
17 operators of a high-speed rail system, including without
18 limitation Amtrak, in the planning, designing, building,
19 operating, and maintaining of a high-speed rail system;

20 (5) engage in alternatives analysis to determine multiple
21 routes connecting O'Hare Airport, downtown Chicago, and
22 downstate Illinois during the first planning stage of the
23 high-speed rail system;

24 (6) establish a Disadvantaged Business Enterprise (DBE)
25 program; and

1 (7) create an ethics policy for the Authority.

2 Section 45. Acceptance of grants, loans, and
3 appropriations. The Authority has the power to apply for and
4 accept grants, loans, advances, and appropriations from the
5 federal government, the State, any other unit of government, or
6 any other legal entity to be used for the purposes of the
7 Authority, and to enter into any agreement in relation to the
8 grants, loans, advances, and appropriations.

9 Section 50. Existing track. The Authority has no power to
10 regulate existing track owned by railroads, except if the
11 Authority enters into a contract with a railroad providing the
12 Authority access to the track or the power to regulate the
13 track.

14 Section 55. Planning committee. A high-speed rail planning
15 committee shall advise the Authority in the development,
16 construction, and operation of a high-speed rail network. The
17 planning committee shall consist of one representative
18 designated by each of the following: the Illinois Department of
19 Transportation, Illinois Commerce Commission, Chicago
20 Transportation Authority, Regional Transportation Authority,
21 Metrolink, City of Chicago, City of Rockford, City of Kankakee,
22 City of Springfield, City of Bloomington, City of Normal, City
23 of Joliet, City of Urbana, City of Champaign, Metropolitan Pier

1 and Exposition Authority, Illinois AFL-CIO, Federal Railroad
2 Administration, Amtrak, and each Class 1 railroad carrier
3 operating within the State. The planning committee shall meet
4 for the first time no later than 60 days after the effective
5 date of this Act.

6 Section 60. Support; procurement. The Illinois State Toll
7 Highway Authority must provide support to the Authority,
8 including without limitation financing expertise, engineering
9 expertise, procurement expertise, personnel management, and
10 any other support to assure the Authority's efficient use of
11 transportation related resources.

12 Except for the procurement of electric power, the Illinois
13 State Toll Highway Authority shall manage the procurement
14 process for the Authority.

15 Section 65. Procurement of electric power. The Illinois
16 Power Agency must procure electric power for the High-Speed
17 Rail Authority at the lowest possible cost.

18 Section 90. The Toll Highway Act is amended by changing
19 Section 16.3 as follows:

20 (605 ILCS 10/16.3)

21 Sec. 16.3. Duties. Consistent with general law, the
22 Authority shall:

1 (a) set goals for the award of contracts to
2 disadvantaged businesses and attempt to meet the goals;

3 (b) attempt to identify disadvantaged businesses that
4 provide or have the potential to provide supplies,
5 materials, equipment, or services to the Authority;

6 (c) give disadvantaged businesses full access to the
7 Authority's contact bidding process, inform the businesses
8 about the process, offer the businesses assistance
9 concerning the process, and identify and take all
10 reasonable steps to remove barriers to the businesses'
11 participation in the process; -

12 (d) provide support to the High-Speed Rail Authority
13 including without limitation financing expertise,
14 engineering expertise, procurement expertise, personnel
15 management, and any other support to assure the High-Speed
16 Rail Authority's efficient use of transportation related
17 resources; and

18 (e) manage the procurement process for the High-Speed
19 Rail Authority, except for the procurement of electric
20 power.

21 (Source: P.A. 94-636, eff. 8-22-05.)

22 Section 97. Severability. The provisions of this Act are
23 severable under Section 1.31 of the Statute on Statutes.

24 Section 99. Effective date. This Act takes effect upon

1 becoming law.".